



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,666	12/22/2000	Eugene J. Rollins	50269-0031	9832

29315 7590 05/02/2003

MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC
12010 SUNSET HILLS ROAD
SUITE 900
RESTON, VA 20190

EXAMINER

HEWITT II, CALVIN L

ART UNIT PAPER NUMBER

3621

DATE MAILED: 05/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

Office Action Summary

Applicati n No.

09/747,666

Applicant(s)

ROLLINS ET AL.

Examiner

Calvin L Hewitt II

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Status of Claims

1. Claims 1-35 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-11, 13, 15, 17, 18, 20-28, 30, 32, 34 and 35 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Bezos et al., U.S. Patent No. 6,029,141.

As per claims 1, 3-9, 18, and 20-26, Bezos et al. teach a method for modifying an address in a communications network comprising: receiving, at an intermediary, a request for an object that is associated with a server, generating at the intermediary, a combined address that identifies both an intermediary

address associated with the intermediary and an object address that is determined based on the request and determining whether the combined address satisfies a particular condition (abstract; figures 1, 2, 4, 5, and 10a-b). Bezos et al. also teach transactions between a customer, a merchant associated with a server and an intermediary (figure 1).

As per claims 10 and 27, Bezos et al. teach a modified combined address, including one or more address identifiers that represents at least a portion of the combined address and satisfies a particular condition, and is based on a combined address that doesn't satisfy a particular condition (figure 4). Bezos et al. also teach interpreting the one or more address identifiers based on a mapping between the one or more address identifiers and the portion of the combined address that is represented by the one or more address identifiers (figure 4).

As per claims 11, 13, 15, 17, 28, 30, 32 and 34, Bezos et al. teach storing communication data, associated and stored at a location associated with the intermediary in response to a request from a participant, receiving second communication data associated with a particular communication and comparing the first data with the second to determine whether the particular communication is associated with the intermediary (figure 2; column 7, lines 21-40; column/line 11/27-13/7; column 14, lines 37-51). Bezos et al. also use cookies to record user information (column 5, lines 55-60; column 8, lines 17-32; column 13, lines 42-

53) and disclose customer purchases facilitated by a shopping application associated with an intermediary (figures 1, 2, and 4-9).

As per claim 35, Bezos et al. teach an electronic commerce system comprising a server and an intermediary that generates in response to an intermediary request for a server associated object, wherein the modified request is based on the request and includes a modified combined address, wherein the modified combined address satisfies a particular condition by including one or more address identifiers that are substituted for at least a portion of a combined address, wherein the combined address identifies both an intermediary address associated with the intermediary and an object address that is determined based on the request, and wherein the combined address does not satisfy the particular condition (figures 1, 2, and 4-9).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 19, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al., U.S. Patent No. 6,029,141 in view of Presler-Marshall, U.S. Patent No. 6,532,492.

As per claims 2 and 19, Bezos et al. teach a method for modifying an address in a communications network comprising: receiving, at an intermediary, a request for an object that is associated with a server, generating at the intermediary, a combined address that identifies both an intermediary address associated with the intermediary and an object address that is determined based on the request and determining whether the combined address satisfies a particular condition (abstract; figures 1, 2, 4, 5, and 10a-b). However, Bezos et al. do not explicitly recite combined addresses satisfying particular size criteria. Presler-Marshall teaches addresses satisfying a condition if the address does not exceed a particular size (abstract; figure 3; column/line 3/30-4/24; column 10, lines 14-42). Therefore, it would have been obvious to one of ordinary skill to combine the teachings of Bezos et al. and Presler-Marshall in order to improve system performance by only caching hashes of web addresses ('141, figure 4) that are smaller in length than the actual address ('492, abstract).

6. Claims 12, 14, 16, 29, 31 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al., U.S. Patent No. 6,029,141.

As per claims 12, 14, 29, and 31, Bezos et al. detail a system that allows a merchant to sell goods and services to a consumer via a compensated third-party (figure 1). Bezos et al. teach using cookies to record user information (column 5, lines 55-60). Cookies with expiration dates are well known to those of ordinary skill in online commerce. Bezos et al. also teach a merchant recording transaction information (column 6, lines 12-20 and 40-58; column/line 18/20-19/23). Bezos et al. do not explicitly recite tracer images. However, it would have been obvious to use any means or method at the disposal of one of ordinary skill in order to produce the desired result of recording a transaction.

As per claims 16 and 33, Bezos et al. teach storing communication data, including customer id, merchant id, product identifier associated with the intermediary to be stored at a location associated with the intermediary, receiving second communication data associated with a particular communication and comparing the first data with the second to determine whether the particular communication is associated with the intermediary (figure 2; column 7, lines 21-40; column/line 11/27-13/7; column 14, lines 37-51). Bezos et al. also maintain the following transaction data: customer id, merchant id, and product id (figure 4; column/line 1/62-2/11; column 2, lines 48-65; column 10, lines 38-67; column/line 11/28-12/65; column/line 17/1-19/23). Therefore, it would have been obvious to one of ordinary skill to utilize any transaction data of the Bezos et al. system in

order to accurately track sales and apply commissions (column 11, lines 1-14; column/line 18/20-19/23).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Howstuffworks.com, "How internet cookies work"
- Robinson et al. teach digital receipts
- Hartman et al. disclose shopping online shopping using a "single-click"
- Walker et al. teach buyer driven conditional purchase offers over a computer network

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Calvin Loyd Hewitt II whose telephone number is (703) 308-8057. The Examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, James P. Trammell, can be reached at (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

c/o Technology Center 2100

Washington, D.C. 20231

or faxed to:

(703) 305-7687 (for formal communications intended for entry and
after-final communications),

or:


(703) 746-5532 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 5,
2451 Crystal Drive, 7th Floor Receptionist.

Any inquiry of a general nature or relating to the status of this application
should be directed to the Group receptionist whose telephone number is (703)
308-1113.

Calvin Loyd Hewitt II

April 25, 2003


JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600